

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

399 West Price River Dr.
Price, Utah 84501

Mine file
Dunn, Lowell, DRN

0064

RECEIVED

JUN 25 1992

Reply to: 2820

Date: June 22, 1992

Vernal Mortensen
Coastal States Energy Co.
175 East 400 South
Suite 800
Salt Lake City, Utah 84111

DIVISION OF
OIL GAS & MINING

Dear Vernal:

We received your letter dated June 15, 1992 in regard to proposed mining under Burnout Creek and your concern regarding recent reviews of this action by the Forest Service.

You contend that it has always been your intent to mine under Burnout Creek and that approval for this mining was obtained through approval of the initial Mining and Reclamation Plan and subsequent revisions, based on the initial 1979 Environmental Impact Statement (EIS) for Development of Coal Resources in Central Utah prepared by the Department of Interior. We agree that approval of the initial MRP was based on the 1979 EIS and an Environmental Assessment (EA) completed by the Forest Service in 1980.

It is our position that the current Land and Resource Management Plan for the Manti-La Sal National Forest completed in 1986 (Forest Plan) requires specific measures for the protection of perennial drainages. The Forest Plan requires the incorporation of Forest Service Special Coal Lease Stipulation No. 9 (Forest Plan, Appendix B, Page B-4) into coal leases at the time of evaluation or readjustment where protection of perennial drainages is identified as a concern. The stipulation was included in Federal Coal Lease U-044076 (Special Stipulation No. 12) when the lease was readjusted in 1985. This stipulation requires specific approval prior to undertaking mining operations that could result in subsidence of perennial streams.

Burnout Creek was identified as a perennial drainage in the EIS prepared for rerouting a segment of Questar Pipeline Company's Mainline 41. It also determined that Upper Huntington Creek, including Burnout Creek, has been designated by the State of Utah Division of Wildlife Resources as the only certified disease free source of eggs for raising Yellowstone (Strawberry) Cutthroat Trout for stocking purposes.

Given that terms of the Federal coal lease requires approval of mining activities that could cause subsidence of perennial streams, and given that Burnout Creek has been classified as a perennial stream (to the forks), a Forest Service decision is necessary if longwall mining is to occur beneath Burnout Creek. In reviewing the 1979 EIS, we find that site-specific analysis relative to Burnout Creek does not exist in sufficient detail for a decision to be made without further analysis.

We note your concerns for economic viability and maximum resource recovery. However, as the surface management agency, we cannot permit surface resources to be compromised simply to achieve these goals. The Forest Service consent authority granted by the Federal Coal Leasing Amendments Act of 1975 will be exercised to ensure that necessary analyses have been completed prior to consenting to the applicable Mining and Reclamation Plan.

Feel free to contact Aaron Howe or Charlie Jankiewicz at our office in Price, Utah if you would like to further discuss this matter.

Sincerely,

/s/ Aaron L. Howe
for
GEORGE A. MORRIS
Forest Supervisor

cc:
RO-MAM
D-3

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